

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

William Pipes, et. al.,	)	
	)	
Plaintiffs,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
State of North Dakota, et. al.,	)	Case No. 1:07-cv-067
	)	
Defendants.	)	

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On September 20, 2007, Plaintiff William Pipes (“Pipes”) lodged a pro se complaint pursuant to 42 U.S.C. § 1983. That same day he sent to a letter to the court requesting, inter alia, that he be “placed on parole.” On October 30, 2007, he filed what the court has construed as a motion to vacate his state court sentences. This relief is not available in § 1983 action, however. The United States Supreme Court has made clear that a § 1983 action cannot be used to challenge, directly or indirectly, the length or validity of a prisoner's confinement and that this can only be done using habeas corpus remedies. E.g., Wilkinson v. Dotson, 544 U.S. 74, 78-82 (2005). His motion to vacate (Docket No. 11) is therefore **DENIED** without prejudice. His request to be “placed on parole” is also **DENIED**.

**IT IS SO ORDERED.**

Dated this 29<sup>th</sup> day of November, 2007.

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/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge